

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Bradhart Products, Inc.,  
a Michigan corporation,

Plaintiff,

vs.

Antler Insanity, L.L.C.,  
a North Carolina limited liability company,

Defendant.

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**COMPLAINT FOR PATENT INFRINGEMENT  
AND DEMAND FOR JURY TRIAL**

This is an action for patent infringement in which Plaintiff Bradhart Products, Inc. makes the following allegations against Defendant Antler Insanity, L.L.C.:

**The Parties**

1. Plaintiff Bradhart Products, Inc. (“Bradhart Products” or “Plaintiff”) is a Michigan corporation having its principal place of business in Brighton, Michigan 48116.

2. Upon information and belief, Defendant Antler Insanity, L.L.C. (“Antler Insanity” or “Defendant”) is a North Carolina limited liability company having its principal place of business in Green Mountain, North Carolina 28740.

3. Upon information and belief, Antler Insanity conducts business in this judicial district and elsewhere throughout the United States. Antler Insanity is promoted on a web site at [www.antlerinsanity.com](http://www.antlerinsanity.com) . The content on the web site includes advertisements of its products, partners and television show that is broadcast on Sportsman Channel. The web site also include an online store called the Insanity Shop where customers can purchase various broadheads from Antler Insanity. The broadhead products on sale at the Insanity Store include the AXE Battle Axe broadhead (Item #: AXE-BA) and the AXE Bone Crusher broadhead (Item #: AXE-BC). See Exh. A. Upon information and belief, Antler Insanity has offered for sale and/or sold these products to Michigan residents.

#### **Nature of the Action**

4. This is a civil action for the infringement under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

#### **Jurisdiction and Venue**

5. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 *et seq.*

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b). On information and belief, Antler Insanity has transacted business and has committed acts of patent infringement in the state of Michigan and within this District.

7. On information and belief, Antler Insanity is subject to this Court's personal jurisdiction pursuant to due process and Michigan Long Arm Statute, due at least to its selling, and/or offering for sale of products alleged to infringe the '869 patent in the state of Michigan and within this District. By placing such products in the stream of commerce, Antler Insanity benefits economically from the retail sale of the product in the forum state, and indirectly benefits from the State's laws that regulate and facilitate commercial activity.

### **The Patent-in-Suit**

8. On May 27, 2008, United States Patent Nos. 7,377,869 ("the '869 Patent", see Exh. B), entitled "Mechanical Anti-Wedging and Controlled Deployment Broadhead" was duly and legally issued by the United States Patent and Trademark Office ("USPTO"). The '869 Patent is, among other things, directed to an arrowhead for a broadhead arrow. The arrowhead includes a pair of cutting blades pivotally mounted to a body. Each blade is movable about a pivot axis between a retracted position disposed substantially within a through-slot formed in the body and a deployed position extending outwardly from the body.

9. Bradhart Products is the assignee of all right, title and interest in the '869 Patent by virtue of an assignment executed by AfterShock Archery LLC on or about September 21, 2010 and recorded in the US Patent Office at Real/Frame 025026/0543. Bradhart Products possesses all rights to sue and recover for any current or past infringement of the '869 Patent. AfterShock Archery LLC was the assignee of all right, title and interest in the '869 Patent by virtue of an assignment executed by the named inventors of the '869 Patent on or about April 12, 2007 and recorded in the US Patent Office at Reel/Frame 025017/0138.

### **Infringement of U.S. Patent No. 7,377,869**

10. Paragraphs 1-9 are incorporated by reference as if fully restated herein.

11. On information and belief, Antler Insanity has infringed, directly and/or indirectly, one or more claims of the '869 Patent, literally and/or under the doctrine of equivalents, in this District and elsewhere in the United States, in violation of 35 U.S.C. § 271, by (i) making, using, selling, offering for sale, and/or importing arrowhead products that infringe one or more claims of the '869 Patent; and/or (ii) by inducing infringement by others, to offer for sale, sell and/or use arrowhead products that infringe one or more claims of the '869 Patent. The infringing products include the AXE Broad Axe broadhead and the AXE Bone Crusher broadhead referenced in paragraph 4 above.

12. Bradhart Products has been damaged by Antler Insanity's infringing activities.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Bradhart Products, Inc. respectfully requests that this Court enter judgment against Defendant Antler Insanity LLC, as follows:

A. Adjudging that the Antler Insanity has directly infringed, literally or under the doctrine of equivalents, the '869 Patent;

B. Awarding damages to Bradhart Products adequate to compensate for Antler Insanity's infringement of the '869 Patent but in no event less than a reasonable royalty for Antler Insanity's manufacture, use, offer for sale and/or sale of the claimed invention in the United States pursuant to 35 U.S.C. §284, and ordering a full account of same;

C. Awarding Bradhart Products enhanced damages, up to and including trebling of any damages awarded pursuant to 35 U.S.C. § 284 for Antler Insanity's willful infringement of the '869 Patent;

D. Awarding Bradhart Products attorneys' fees pursuant to 35 U.S.C. § 285, for Antler Insanity's willful infringement of the '869 Patent;

E. Awarding Bradhart Products pre-judgment and post-judgment interest on its damages; and

F. Awarding Bradhart Products such other and further relief in law or equity that the Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Bradhart Products hereby demands a trial by jury on all claims and issues so triable.

Dated: April 30, 2013

Respectfully submitted,

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